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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,785	02/15/2002	Saverio Carl Falco	BB1336 USCNT	4051

23906 7590 10/19/2004

E I DU PONT DE NEMOURS AND COMPANY  
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WILMINGTON, DE 19805

EXAMINER

KERR, KATHLEEN M

ART UNIT PAPER NUMBER

1652

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

10142004

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The amendment filed on August 5, 2004 is considered non-compliant because it has failed to meet the requirements of 37 C.F.R. ' 1.121, as amended on June 30, 2003 (see 68 Fed Reg. 38611, June 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 C.F.R. ' 1.121(h).

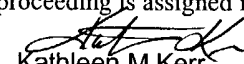
The amendments to the claims are non-compliant for the following reasons:

- a) Amended claim(s) do not include proper markings (strikethrough/brackets for withdrawn text and underlining for inserted text).
- b) Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Only the following seven status identifiers are permitted: "original", "currently amended", "canceled", "new", "withdrawn", "previously presented", and "not entered".

Specifically, for example, claim 31 as filed on August 5, 2004 is not "previously presented" because the non-compliant claims filed on June 17, 2004 have not been entered (per their non-compliance). Thus, the markings and claim identifiers presented in the June 17, 2004 filing must be shown in the claims filed in response to the instant Office action. The only defect in the claims filed on June 17, 2004 is that they lacked a complete listing wherein status of claims 1-30 had been omitted. Correction is required.

Since the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 C.F.R. ' 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 C.F.R. ' 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 C.F.R. ' 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen M Kerr whose telephone number is (571) 272-0931. The examiner can normally be reached on Monday through Friday, from 9:00am to 6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathupura Achutamurthy can be reached on (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

  
Kathleen M Kerr  
Primary Examiner  
Art Unit: 1652